



**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**[Docket No. NHTSA-2018-0088; Notice 1]**

**Notice of Receipt of Petition for Decision that  
Nonconforming Model Year 2015 Ferrari 458 Speciale Aperta  
Passenger Cars Are Eligible for Importation**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA),  
Department of Transportation (DOT).

**ACTION:** Receipt of petition.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that certain model year (MY) 2015 Ferrari 458 Speciale Aperta Passenger Cars (PCs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the MY 2015 Ferrari 458 Speciale Aperta PCs) and are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- Mail: Send comments by mail addressed to the U.S.  
Department of Transportation, Docket Operations, M-30,  
West Building Ground Floor, Room W12-140, 1200 New  
Jersey Avenue, SE, Washington, DC 20590.
- Hand Delivery: Deliver comments by hand to the U.S.  
Department of Transportation, Docket Operations, M-30,  
West Building Ground Floor, Room W12-140, 1200 New  
Jersey Avenue, SE, Washington, DC 20590. The Docket  
Section is open on weekdays from 10 am to 5 pm except  
for Federal Holidays.
- Electronically: Submit comments electronically by  
logging onto the Federal Docket Management System  
(FDMS) website at <https://www.regulations.gov/>.  
Follow the online instructions for submitting  
comments.
- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If

comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477-78).

**FOR FURTHER INFORMATION CONTACT:** Neil Thurgood, Office of Vehicle Safety Compliance, NHTSA, telephone (202) 366-0712.

**SUPPLEMENTARY INFORMATION:**

**I. History:** Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS (49 CFR 571) shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally

manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA, pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, *Processing of Petitions*, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

**II. Summary of Petition:** J.K. Technologies, LLC (JK), of Baltimore, Maryland (Registered Importer R-90-006) has petitioned NHTSA to decide whether nonconforming MY 2015 Ferrari 458 Speciale Aperta PCs are eligible for importation into the United States. The vehicles that JK believes are substantially similar are MY 2015 Ferrari 458 Speciale Aperta PCs manufactured for sale in the United States, and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner submitted information with its petition intended to demonstrate that the subject non-U.S.-certified

vehicles, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non-U.S.-certified MY 2015 Ferrari 458 Speciale Aperta PCs, as originally manufactured, conform to: Standard Nos. 102 *Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 106 *Brake Hoses*, 113 *Hood Latch System*, 114 *Theft Protection and Rollaway Prevention*, 116 *Motor Vehicle Brake Fluids*, 118 *Power-Operated Window, Partition, and Roof Panel Systems*, 124 *Accelerator Control Systems*, 126 *Electronic Stability Control Systems for Light Vehicles*, 135 *Light Vehicle Brake Systems*, 138 *Tire Pressure Monitoring Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance; Applicable unless a Vehicle is Certified to § 571.216a*, 219 *Windshield Zone Intrusion*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*.

The petitioner also contends that the subject non-U.S.-certified vehicles are capable of being readily altered to meet the following standards in the manner indicated:

Standard No. 101 *Controls and Displays*: Replacement of the instrument cluster with the U.S.-model component and reprogramming of its software as described in the petition.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: Installation of wiring and programming to activate the required side marker lights.

Standard No. 110 *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 Kilograms (10,000 Pounds) or Less*: Installation of the required tire information placard.

Standard No. 111 *Rear Visibility*: Replacement of the passenger side mirror with the U.S.-model Component, or inscription of the required warning statement on the face of the existing mirror.

Standard No. 208 *Occupant Crash Protection*: Replacement of several components as described in the petition. Replacement of the sensor mat in the passenger-side seat cushion, and activation of the SRS airbag control module. Replacement of sun visors with U.S.-model components to meet the labeling requirements of FMVSS No. 208.

The petitioner further states that labels will be affixed to bring the vehicle into conformity with the requirements of 49 CFR Parts 565 and 567, *VIN Content and Certification*, respectively.

**III. Comments:** All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and considered. Comments filed after the closing date will also be considered to the fullest extent possible and available for examination in the docket at the above addresses.

Once the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

This notice of receipt of the subject petition does not represent any agency decision or other exercise of judgment concerning the merits of the petition. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

**Claudia W. Covell,**

*Acting Director, Office of Vehicle Safety Compliance.*

**Billing Code 4910-59-P**

